

CP 4.16.1 Student Records: Confidentiality and Release

Related Board of Trustee Policy: BP 4.16

Responsible Official *Chief Academic Officer*
Approvals *10/25/18*
Revision *02/29/2024*

Procedure

- I. The procedures established by the College providing access to student records:
 - A. Upon receipt of a written request from the student, the VP for Learning and Student Services shall within 45 days:
 - i. Allow the student to inspect and review the permanent file and transcript.
 - ii. Provide the student with copies of the material, if the student so desires.
 - iii. Interpret the records to the student.
 - iv. Allow the student to challenge, in writing, the content of the files. Upon receipt of the challenge, the VP for Learning and Student Services shall conduct a hearing at which time any materials found to be inappropriate or misleading will be corrected. Students shall also have the opportunity to insert into their files any written explanations they deem appropriate.
 - B. McDowell Technical Community College considers the following “Directory Information,” and will release such information unless the student notifies the VP for Learning and Student Services in writing during the first three (3) class days of each semester:
 - i. Name
 - ii. Program of Study
 - iii. Dates of Attendance
 - iv. Degrees and awards received
- II. To ensure compliance with Session Law 2023-106, which mandates certain requirements for unemancipated students under the age of 18 registered with a public school unit, including those participating in CCP Programs.

Definitions:

The term CCP student (Career & College Promise) is inclusive of students enrolled in the College Transfer Pathways, Career and Technical Educational Pathways, Cooperative Innovative High Schools (CIHS) encompassing early and middle colleges, and Workforce Continuing Education CTE Pathways in which unemancipated students under the age of 18 registered with a public school unit, including those participating in CCP programs on college campuses.

Child: A person under age 18 years of age who has not been emancipated pursuant to Article 35 of Chapter 7B of General Statutes.

Parent: A person with legal custody of a child, including a natural parent, adoptive parent, or legal guardian.

A. Compliance Areas:

- a. Community Colleges, as subdivisions of the State are required to comply with Session Law 2023-106 in the following areas:
 - i. Biometric Data, Blood and DNA:
 1. Obtain prior written consent from parents before creating, sharing, or storing a child's biometric scans, blood or DNA. Exceptions apply as outlined in the law, including specific circumstances such as juvenile justice offenses or security purposes.
 - ii. Video and Audio Recordings of Minors:
 1. Obtain prior written consent from parents before creating video or voice recordings of their child, except in situations outlined by the law.
 - iii. Reporting Criminal Offenses:
 1. Promptly notify the public school unit and the parent if an employee suspects a criminal offense against their child, unless notification would impede an investigation.
 - iv. Educational Records:
 1. Allow parents access to and review all education records related to their child under FERPA.
 - v. Parental Request for Information:
 1. Parents of students enrolled at the time of the request, may make requests for information directly to community colleges. When that occurs, the following procedure will be followed:
 - a. Requests must be made in writing to the Chief Academic Officer.
 - b. The Chief Academic Officer (CAO), within 10 business days, must either provide the requested information to the parent or provide an extension notice to the parent that the information will be provided no later than 20 business days from the date of the parental request.
 - c. If the CAO denies or fails to respond within 10 business days or provide an extension notice to the parent that the information will be provided no later than 20 business days from the date of the parental request, the request can then be escalated to the President of the Community College.
 - d. If the President fails to respond within 10 business days or provide an extension notice to the parent that the information will be provided no later than 20 business days from the date of the parental request, the request can be escalated to the governing body.
 - e. The governing body's decision is the final decision.
 - vi. Training and Awareness:
 1. Faculty and staff will participated in annual training and awareness regarding CCP Programs to ensure compliance with Session Law 2023-106

